

# Notice of Allowability

Application No.

10/822,525

Examiner

Thomas J. Mullen, Jr.

Applicant(s)

WILDMAN ET AL.

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 1/8/07.
2. ☒ The allowed claim(s) is/are 1-22,30-79,81-86 and 88.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for the claims portion of this examiner's amendment was given in a telephone interview with Christine Orich on 2/15/07 (the changes to the specification merely change the order in which the related applications appear in the "Related Applications" data on page 1 of the specification, to make it consistent with Office records).

#### IN THE SPECIFICATION

Page 1, line 5, "and" has been changed to --which--.

Page 1, line 6, "60/462,216, filed April 11, 2003" has been changed to --60/289,432, filed May 8, 2001--.

Page 1, lines 6-7, "U.S. Patent Application Serial No. 10/141,457" has been changed to --this application further--.

Page 1, line 8, "60/289,432, filed May 8, 2001" has been changed to --60/462,216, filed April 11, 2003--.

#### IN THE CLAIMS

Claim 81, line 2, "environment" has been changed to --facility--.

Claim 81, line 2, "the transmitter" has been changed to simply, --transmitter--.

Claim 84, line 1, "the processor" has been changed to --a processor--.

Claim 84, line 2, "environment" has been changed to --facility--.

Claim 84, line 2, "the transmitter" has been changed to simply, --transmitter--.

Claim 88, line 3, "the processor" has been changed to --a processor--.

2. The following is an examiner's statement of reasons for allowance:

the art of record fails to teach or suggest, in a system for tracking a plurality of movable assets in a healthcare facility having a plurality of badges, each badge having a transmitter for transmitting an identification signal and each badge being coupled to an asset, and a locating system configured to receive the identification signals from the badges and to determine a location of the corresponding assets in the healthcare facility based at least in part on the

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identification signals, wherein (i) the locating system determines the "height" associated with the asset and whether the determined height is an "expected height", (ii) the system further has at least one portable device having a controller, display, memory, input device and transceiver, the portable device generating a request signal to the locating system requesting the location of a movable asset and receiving a location signal from the locating system indicating the location and providing appropriate directions to a first location in the facility based on the location of the movable asset, or (iii) the system further has a virtual facility interface having a display and an input device, the interface presenting a virtual facility including a map of the facility and representations of various ones of the assets which are positioned within the virtual facility based on the determined location of each asset, at least one asset having multiple representations associated therewith corresponding to respective multiple statuses.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

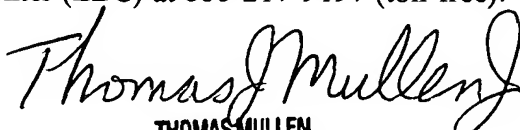
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM

  
THOMAS MULLEN  
PRIMARY EXAMINER  
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